

EXHIBIT NO. 1

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~~6-22-10 27~~
~~6-12-10~~

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 8, 2010
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: JAMES K. HARTMANN, CITY MANAGER *J*
SUBJECT: ORDINANCE TO REZONE NORTH POTOMAC YARD FROM CDD #10 TO CDD # 19 AND TO ADOPT RELATED TEXT AMENDMENTS TO THE ZONING ORDINANCE TO IMPLEMENT THIS REZONING

ISSUE: Consideration of an ordinance to rezone North Potomac Yard from CDD #10 to CDD #19 and related text amendments to implement this rezoning within the Zoning Ordinance.

RECOMMEDATION: That City Council pass the ordinance on first reading and set it for public hearing, second reading and final passage on, Tuesday, June 22, 2010.

DISCUSSION: This rezoning and text amendment was recommended to the City Council for approval by the Planning Commission on June 1, 2010, which recommendation will be considered for approval by City Council in the public hearing portion of the June 12, 2010 docket. The proposed ordinance would implement the text amendment, if Council votes to approve the text amendment on June 12.

FISCAL IMPACT: None.

ATTACHMENTS:
Attachment I – Proposed Ordinance and Cover
Attachment II – June 3, 2010 Final Docket Memo to the Planning Commission

STAFF:
Faroll Hamer, Director, Planning and Zoning
Jeffrey Farner, Deputy Director, Planning and Zoning
Christopher P. Spera, Deputy City Attorney

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Introduction and first reading: 6/12/10
Public hearing: 6/22/10
Second reading and enactment: 6/22/10

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to rezone North Potomac Yard from CDD #10 to CDD #19 and to amend Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) and Section 5-610 (POTOMAC YARD DESIGN ADVISORY COMMITTEE), both of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the rezoning heretofore approved by City Council as Rezoning No. 2009-0001 and the text amendment heretofore approved by City Council as Text Amendment 2010-0002.

Summary

The proposed ordinance rezones North Potomac Yard from CDD #10 to CDD #19 and makes related amendments to Sections 5-602 and 5-610 of the Zoning Ordinance, as recommended to the City Council by the Planning Commission on June 3, 2010, which recommendation will be considered for approval by City Council in the public hearing portion of the June 12, 2010 docket. The proposed ordinance would implement the City Council's approval, if it elects to do so.

Sponsor

N/A

Staff

Faroll Hamer, Director, Planning and Zoning
Jeffrey Farner, Deputy Director, Planning and Zoning
Christopher P. Spera, Deputy City Attorney

Authority

§2.04(w), §9.09, Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

June 3, 2010 Final Docket Memo to Planning Commission

ORDINANCE NO. _____

AN ORDINANCE to rezone North Potomac Yard from CDD #10 to CDD #19 and to amend Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) and Section 5-610 (POTOMAC YARD DESIGN ADVISORY COMMITTEE), both of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the rezoning heretofore approved by City Council as Rezoning No. 2009-0001 and the text amendment heretofore approved by City Council as Text Amendment 2010-0002.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2009-0001 and Text Amendment 2010-0002, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 3, 2010, of a rezoning of North Potomac Yard from CDD #10 to CDD #19 and related text amendments to Sections 5-602 and 5-610 of the Zoning Ordinance, which recommendation was approved by the City Council at public hearing on June 12, 2010;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That North Potomac Yard be, and the same hereby is, rezoned from CDD#10 to CDD #19, and that the director is directed to make all appropriate changes to the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance to reflect such rezoning.

Section 2. That Section 5-602 of the Zoning Ordinance be, and the same hereby is, amended by inserting the following new language, as shown, at the bottom of "Table 1. Coordinated Development Districts:

(The following table entry is all new language to be inserted at the bottom of the existing table; the remainder of the table is unaltered)

Sec. 5-602 Coordinated development districts created, consistency with master plan, required approvals.

(A) The CDD districts, as shown on Table 1, are as follows:

(new inserted table section at bottom of Table 1)

1

CDD#	CDD Name	Without a CDD Special Use Permit	With CDD Special Use Permit		
			Maximum FAR and/or Development	Maximum Height	Uses
19	North Potomac Yard	The CSL zone regulations shall apply on the first 250 feet east of Route 1, and the I zone regulations shall apply on the remainder of the site. However, in no case shall the development exceed 600,000 square feet.	Maximum development levels will be as depicted in Table 5 of the CDD Conditions. Conversion of square footage between uses may be permitted through the development special use permit process. Refer to Table 3 of the CDD conditions for maximum parking ratios.	Heights shall be as shown in the North Potomac Yard Design Standards dated May 24, 2010.	Mixed-use development to include office, residential, retail and personal service, hotel, parks and open spaces and community facilities.

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Section 3. That Section 5-610 of the Zoning Ordinance be, and the same hereby is, amended as follows:

(New language is underscored, deleted language is ~~stricken through~~)

5-610 Potomac Yard Design Advisory Committee.

(A) There is hereby established by ordinance the Potomac Yard design advisory committee.

(B) The Potomac Yard design advisory committee shall consist of nine members appointed by the city council, pursuant to title 2, chapter 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, for staggered terms of two years. The committee shall include two members representing the Potomac East area; one member with urban design or architectural experience representing the National Park Service; two members representing the Potomac West area; two members representing the Potomac Yard area; one member representing the business community, and two qualified professionals skilled in architecture or urban design.

(C) The purpose of the Potomac Yard design advisory committee is to review applications for preliminary development plan special use permit approval under this ordinance,

1 within CDD No. 10 Potomac Yard/Greens and CDD No. 19 North Potomac Yard, for compliance
2 with the respective urban design guidelines or design standards applicable therein, and make
3 recommendation on such applications to the planning commission and city council through the
4 director.

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6 (D) The director shall send a copy of any proposed preliminary development
7 plan for the CDD to the committee, and the committee shall send its comments to the director in
8 time to be sent to the planning commission together with the staff report on the proposed plan.
9 Each applicant for a preliminary development plan approval shall be encouraged to discuss its
10 proposal with the committee, including prior to the filing of an application for approval of a
11 preliminary development plan.

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13 (E) The committee shall establish a regular schedule which provides for
14 meetings at least once per calendar quarter. Additional meetings may be scheduled by the chair of
15 the committee, in consultation with the director.

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17 (F) Section 2-4-7(f) of the City Code, which prohibits a person from serving on
18 more than one standing committee, shall not apply to service on the Potomac Yard design
19 advisory committee; provided, however, that this subsection shall expire on December 18, 2007.

20
21 Section 4. That the director of planning and zoning be, and hereby is, directed to
22 record the rezoning set forth in Section 1 herein on the "Official Zoning Map, Alexandria,
23 Virginia," and record the text amendments set forth in Sections 2 and 3 herein.

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25 Section 5. That Sections 5-602 and 5-610, as created pursuant to Sections 2 and 3 of
26 this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning
27 Ordinance.

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29 Section 6. That this ordinance shall become effective on the date and at the time of its
30 final passage, and shall apply to all applications for land use, land development or subdivision
31 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after
32 such date, and shall apply to all other facts and circumstances subject to the provisions of the City
33 of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning
34 Ordinance.

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36 WILLIAM D. BUILLE
37 Mayor

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39 Introduction: 6/12/2010
40 First Reading: 6/12/2010
41 Publication:
42 Public Hearing:
43 Second Reading:
44 Final Passage:

ORDINANCE NO. 4678

AN ORDINANCE to rezone North Potomac Yard from CDD #10 to CDD #19 and to amend Section 5-602 (COORDINATED DEVELOPMENT DISTRICTS CREATED, CONSISTENCY WITH MASTER PLAN, REQUIRED APPROVALS) and Section 5-610 (POTOMAC YARD DESIGN ADVISORY COMMITTEE), both of Article V (MIXED USE ZONES) of the City of Alexandria Zoning Ordinance, in accordance with the rezoning heretofore approved by City Council as Rezoning No. 2009-0001 and the text amendment heretofore approved by City Council as Text Amendment 2010-0002.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2009-0001 and Text Amendment 2010-0002, the planning commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 3, 2010, of a rezoning of North Potomac Yard from CDD #10 to CDD #19 and related text amendments to Sections 5-602 and 5-610 of the Zoning Ordinance, which recommendation was approved by the City Council at public hearing on June 12, 2010;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That North Potomac Yard be, and the same hereby is, rezoned from CDD#10 to CDD #19, and that the director is directed to make all appropriate changes to the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance to reflect such rezoning.

Section 2. That Section 5-602 of the Zoning Ordinance be, and the same hereby is, amended by inserting the following new language, as shown, at the bottom of "Table 1. Coordinated Development Districts:

[The following table entry is all new language to be inserted at the bottom of the existing table; the remainder of the table is unaltered]

Sec. 5-602 Coordinated development districts created, consistency with master plan, required approvals.

(A) The CDD districts, as shown on Table 1, are as follows:

[new inserted table section at bottom of Table 1]

CDD#	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum FAR and/or Development	Maximum Height	Uses
19	North Potomac Yard	The CSL zone regulations shall apply on the first 250 feet east of Route 1, and the I zone regulations shall apply on the remainder of the site. However, in no case shall the development exceed 600,000 square feet.	Maximum development levels will be as depicted in Table 5 of the CDD Conditions. Conversion of square footage between uses may be permitted through the development special use permit process. Refer to Table 3 of the CDD conditions for maximum parking ratios.	Heights shall be as shown in the North Potomac Yard Design Standards dated May 24, 2010.	Mixed-use development to include office, residential, retail and personal service, hotel, parks and open spaces and community facilities.

Section 3. That Section 5-610 of the Zoning Ordinance be, and the same hereby is, amended as follows:

5-610 Potomac Yard Design Advisory Committee.

(A) There is hereby established by ordinance the Potomac Yard design advisory committee.

(B) The Potomac Yard design advisory committee shall consist of nine members appointed by the city council, pursuant to title 2, chapter 4 of the Code of the City of Alexandria, Virginia, 1981, as amended, for staggered terms of two years. The committee shall include two members representing the Potomac East area; one member with urban design or architectural experience representing the National Park Service; two members representing the Potomac West area; two members representing the Potomac Yard area; one member representing the business community, and two qualified professionals skilled in architecture or urban design.

(C) The purpose of the Potomac Yard design advisory committee is to review applications for preliminary development plan special use permit approval under this ordinance, within CDD No. 10 Potomac Yard/Greens and CDD No. 19 North Potomac Yard, for compliance with the *respective* urban design guidelines or design standards applicable therein, and make

recommendation on such applications to the planning commission and city council through the director.

(D) The director shall send a copy of any proposed preliminary development plan for the CDD to the committee, and the committee shall send its comments to the director in time to be sent to the planning commission together with the staff report on the proposed plan. Each applicant for a preliminary development plan approval shall be encouraged to discuss its proposal with the committee, including prior to the filing of an application for approval of a preliminary development plan.

(E) The committee shall establish a regular schedule which provides for meetings at least once per calendar quarter. Additional meetings may be scheduled by the chair of the committee, in consultation with the director.

(F) Section 2-4-7(f) of the City Code, which prohibits a person from serving on more than one standing committee, shall not apply to service on the Potomac Yard design advisory committee; provided, however, that this subsection shall expire on December 18, 2007.

Section 4. That the director of planning and zoning be, and hereby is, directed to record the rezoning set forth in Section 1 herein on the "Official Zoning Map, Alexandria, Virginia," and record the text amendments set forth in Sections 2 and 3 herein.

Section 5. That Sections 5-602 and 5-610, as created pursuant to Sections 2 and 3 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

WILLIAM D. EUILLE
Mayor

Final Passage: June 22, 2010